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August 14, 2017

**VIA ECF**

Honorable Cheryl L. Pollak  
United States Magistrate Judge  
United States District Court  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Martinez v. City of New York, et al.  
16-CV-0079 (AMD) (CLP)

Your Honor:

I am the Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to represent defendants in the above-referenced matter. Defendants write to request an extension of the discovery deadline to conduct the depositions of retired Sgt. Joseph DiGennaro and Police Officer James Seddio from August 16, 2017 to Sept. 11, 2017. Sgt. DiGennaro's deposition was so ordered for August 14, 2017 but due to childcare issues Sgt. DiGennaro was unable to attend today's deposition. Plaintiff's counsel, Baree Fett, consents to the requested enlargement.

Defendants do not currently have a date from the officers for when they can appear for their deposition. However, Sgt. DiGennaro said he would be available for his deposition after Labor Day and Officer Seddio is currently on vacation through August 28, 2017. Plaintiff requested the deposition of Seddio, an officer who transported plaintiff on the date of the incident at issue in this action. Defendants agreed to allow for the brief deposition of Officer Seddio for the purposes of determining his recollection of the events of that night. If these officers cannot be made available for their depositions before September 11, 2017, defendants will inform the court. The deposition of retired Lt. Jason Weitzman is scheduled to be conducted as planned on August 16, 2017.

Therefore for the above mentioned reasons, defendants request the Court extend the discovery deadline for the purposes of taking Sgt. DiGennaro and Officer Seddio's deposition from August 16, 2017 to and including September 11, 2017.

Thank you for your consideration of this matter.

Respectfully submitted,



Paul H. Johnson  
*Assistant Corporation Counsel*  
Special Federal Litigation Division

cc: Baree N. Fett, Esq. (via ECF)  
*Attorney for Plaintiff*